

**In the Drawings**

Applicants submit concurrently herewith, two (2) ***Replacement Sheets***, Figures 1 – 2. The enclosed ***Replacement Sheets*** supersede the original drawings filed by Applicants on December 8, 2003.

**REMARKS**

This application has been carefully considered in connection with the Examiner's Office Action dated March 30, 2007. Reconsideration and allowance are respectfully requested in view of the following.

**Summary of Rejections**

Claims 1-26 were pending at the time of the Office Action.

Claims 2-15 and 20-26 were rejected under 35 USC § 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention.

Claims 1-7 and 16-26 were rejected under 35 USC § 101, as directed to non-statutory subject matter and are not directed to a practical application of such judicial exception.

Claims 1-26 were rejected under 35 USC § 102(e) as being anticipated by U.S. patent Publication No. 2004/0143811 A1 to Kaelicke et al. (hereinafter "Kaelicke").

The drawings were objected.

The specification was objected.

Claim 16 was objected.

**Summary of Response**

Claims 1, 2, 8, 16, 17, 20 were amended.

Claims 3-7, 9-15, 18, 19, 21-26 remain as originally submitted.

The drawings have been amended.

The specification has been amended.

The Abstract has been amended.

Remarks and Arguments are provided below.

### **Drawings**

The drawings were objected to because of minor informalities: Figure 2, block 212, "IT" should be --Information technology (IT) department--; and blocks 214, 216, 224-228 "IT" should be --IT department— as disclosed throughout the specification. Corrected drawing sheets labeled "Replacement Sheet" are filed concurrently herewith.

### **Specification**

The specification has been amended. Specifically, paragraph [0006] has been amended to read --Information Technology-- as suggested by the Office Action. This amendment is respectfully submitted not to introduce new matter, and is offered for clarification purposes.

The abstract has been amended. Specifically, the Abstract has been amended to describe the disclosure without the use of the phrase "The present disclosure addresses". Applicants believe that this now conforms to all relevant statutory guidelines.

### **Summary of Claims Pending**

Claims 1-26 are currently pending following this response.

**Response to Objection**

Claim 16 was objected to because of informality. Claim 16 has been amended to read --Information Technology-- as suggested in the Office Action.

**Response to Rejections**

The present application relates to an Enterprise Development Process (EDP) that can be employed to facilitate the integration of enterprise architecture. EDP provides rigor to the process of enterprise-wide software development. Consistent checkpoints throughout the process allow significant events to occur in a predictable, scheduled manner. This allows for consistent planning and updates and ensures that resources are available when needed. The disclosed process allows for the verification of the availability of resources through several different methods, including the aforementioned checkpoints.

With regard to the art rejections, the Office Action has cited Kaelicke as teaching a system that reserves and confirms the availability of resources. However, Kaelicke teaches a system that only sends a release message for project resources without first determining if those resources are available. Therefore, unlike the current system which may confirm the availability of resources, Kaelicke cannot determine if the required resources are actually available.

This distinction, as well as others, will be discussed in greater detail in the analysis of the present claims that follows.

**Response to Rejections under Section 112**

In the Office Action dated March 30, 2007, Claims 2-15 and 20-26 were rejected under 35 USC § 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. The Office Action requests clarification as to what the result would be due to the unapproval of a project. Claims 8 and 20 both have an approval limitation, and do not contain the term unapproval. Applicants respectfully submit that even if the Claims are broadly construed, such a Claim is not indefinite as the scope of the subject matter of the claims is clear.

Breadth of a claim is not to be equated with indefiniteness. In re Miller, 441 F.2d 689, 169 USPQ 597 (CCPA 1971). If the scope of the subject matter embraced by the claims is clear, and if applicants have not otherwise indicated that they intend the invention to be of a scope different from that defined in the claims, then the claims comply with 35 U.S.C. 112, second paragraph. [MPEP 2173.04]

The currently disclosed claims are directed towards scheduling resources. It is respectfully submitted that in the event of the unapproval of a project, no resources would be allocated to the project. Applicants respectfully submit that the scope of the claims is clear. One of the innovative features of the present disclosure is the ability to allocate resources to those projects that have been approved by a customer. It is further respectfully submitted that if a customer declines to pursue a particular project, resources will not be allocated to that project.

Applicants respectfully submit that since Claims 2-7, 9-15, and 21-26 depend from Claims 1, 8, 20, each claim is definite under 35 USC 112.

**Response to Rejections under Section 101**

In the Office Action dated March 30, 2007, Claims 1-7 and 16-26 were rejected under 35 USC § 101 as being directed to non-statutory subject matter (i.e., an abstract idea, natural phenomenon, or law of nature).

Claims 1, 8, 16, and 20 have been amended consistent with the suggestions of the Office Action. Further, each claim also contains a limitation directed at storing information on a computer readable medium. Support for this limitation may be found throughout the specification including, but not limited to, paragraph [0017]. It is respectfully submitted that these amendments do not include any new matter, and their entry is respectfully requested. These amendments are respectfully submitted to follow the suggestions of the Office Action. Based upon these amendments, Claims 1-26 are consistent with the requirements of Section 101.

**Response to Rejections under Section 102**

In the Office Action dated March 30, 2007, claims 1-26 were rejected under 35 USC § 102(e) as being anticipated by U.S. Patent Publication No. 2004/0143811 A1 to Kaelicke et al. (hereinafter "Kaelicke").

Claim 1:

- I. Kaelicke does not disclose "confirming the reserved resources."

Claim 1 has been amended to include the limitation of "the planning department confirming the reserved resources throughout the further analysis." This limitation is also found in the original Claim 8, and support for this limitation may be found throughout the specification including, but not limited to, paragraph [0026].

Applicants respectfully submit that the limitation “confirming the reserved resources” allows for the presently disclosed system to monitor and confirm the availability of resources throughout the planning stages. This ensures that resources are available when needed.

Kaelicke does not contain the ability to confirm available resources. In the rejection of Claim 8, the Office Action asserts that the “confirming” step is found in [0104-0105] and [0147]. Paragraph [0104] of Kaelicke relates to environmental modeling, and paragraph [0105] relates to the development of tools, neither one of which relates to the confirming of available resources. For the purpose of clarity, section [0147] of Kaelicke is reproduced below.

*[0147] Close-out checklist completion task 890 is directed to verifying that a group of close-out tasks for ending the preceding evaluation, development and test, and delivery and acceptance phases have been completed. The tasks for ending the preceding phases can include a review of the completion/delivery of development deliverables, a verification of sales and/or marketing efforts, a release of project resources (including equipment and personnel) to other development efforts, a notification of non-participating personnel such as an accounting department, a verification that a participant debriefing occurred, performance feedback and performance evaluations of development participants, planning for resolution of outstanding issues, end-of-phase reviews, and the creation of a development archive. The development archive can include a completed close-out checklist, as well as other deliverables and records. [Emphasis added]*

This section is directed towards the verification of the completion of a set of tasks, and lacks the ability to verify that resources are available, as in the presently

claimed disclosure. Therefore, paragraph [0147] also fails to disclose the confirming resources as presently claimed.

Moreover, Kaelicke only discusses “a release of project resources (including equipment and personnel) to other development efforts” but does not confirm the availability of resources, as does the presently disclosed application. This takes into consideration that the availability of resources may change throughout the development process (other projects may be assigned resources, resources may no longer be available, etc.)

Claims 2-7 depend from Claim 1. Therefore, Claims 2-7 each incorporate the limitations of Claim 1 and are therefore also patentable over Kaelicke.

Claim 8:

Claim 8 also contains the limitation of “confirming the reserved resources.” Therefore, the same discussion regarding Claim 1 also applies to the rejection of Claim 8. It is respectfully submitted that Claim 8 is therefore patentable over Kaelicke.

Claims 9-15 depend from claim 8. Therefore, Claims 9-15 each incorporate the limitations of Claim 8 and are therefore also patentable over Kaelicke.

Claim 16:

## II. Kaelicke does disclose booking resources

Applicants respectfully submit that amended independent Claim 16 contains the limitation “booking the resources upon approval of the estimate by the customer”. This



step allows for the presently disclosed system to reserve resources prior to using the resources during the planning of the project. This ensures that resources are available when needed.

Kaelicke does not disclose the ability to book available resources prior to their use. In the rejection of Claim 16, the Office Action notes that the "booking" step is found in [0104-0105] and [0147]. Applicants respectfully submit that these paragraphs, as previously discussed, are directed only at the execution of resources, not the reservation of resources.

Claims 17-19 depend from Claim 16. Therefore, Claims 17-19 each incorporate the limitations of Claim 16 and are therefore also patentable over Kaelicke.

Claim 20:

Claim 20 contains the limitation of "booking the schedule reservations in the releases." Therefore, the same discussion regarding the rejection of Claim 1 applies to the rejection of Claim 20. It is respectfully submitted that Claim 20 therefore has the same limitations as the previous claims and is therefore patentable over Kaelicke.

Claims 21-26 depend from Claim 20. Therefore, Claims 21-26 each incorporate the limitations of Claim 20 and are therefore also patentable over Kaelicke.


**Conclusion**

Applicants respectfully submit that the present application is in condition for allowance for the reasons stated above. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2288.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 21-0765, Sprint.

Respectfully submitted,

Date: 6/29/2007

  
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